

REMARKS

This paper is submitted in response to the Office action dated January 22, 2009 (the “Office Action”).

Claims 1, 2, 5, 9, 16-19, 22, 26, 33, 34, 38-43, and 45-62 are pending, including new claims 54-62.

Claims 1, 2, 5, 9, 16-19, 22, 26, 33, 34, 38-43, and 45-53 stand rejected.

The amendments add no new matter. Support for the amendments may be found throughout Applicant’s Specification and Drawings as originally filed, for example in p. 6, line 20—p. 8, line 9; and FIG. 1. While not conceding that the cited reference(s) qualify as prior art, but instead to expedite prosecution, Applicant has chosen to respond as follows. Applicant reserves the right to establish that the cited reference(s), or other references cited thus far or hereafter, do not qualify as prior art as to an invention embodiment previously, currently, or subsequently claimed. Applicant respectfully submits that the pending claims are allowable in view of the following remarks and the above amendments, and respectfully requests reconsideration of the pending rejections.

Claim rejections under 35 U.S.C. § 101

Claims 1, 2, 5, 9, 26, 17, 38-43, and 45-47 stand rejected under 35 U.S.C. § 101 as purportedly being directed to patent-ineligible subject matter.

The Office Action indicates that claim 26 is among the claims that stand rejected under § 101. Applicant believes that this indication is the result of a minor clerical error. Nonetheless,

Applicant notes that claim 26 depends on claim 18, which is directed to an article of manufacture that includes a computer-readable storage medium encoded with instructions that, if executed by a processor, will cause the processor to perform various recited operations. Applicant respectfully submits that in view of these limitations, claim 26 is clearly directed to patentable subject matter. See, § 2106(I) of the *Manual of Patent Examining Procedure* (Ed. 8, Rev. 7, Jul. 2008) (“MPEP”) (“a claimed computer-readable medium encoded with a computer program is . . . statutory”).

With regard to independent claim 1 and claims that depend on claim 1, the Office Action expresses a concern that the claims neither transform underlying subject matter nor positively recite structure associated with another statutory category. Applicant respectfully disagrees.

Nonetheless, to address the Examiner’s concerns, Applicant has amended independent claim 1. As amended, independent claim 1 includes facilitating a localization of a base version of an application, and storing a localized version of a first stage of the base version of the application. The facilitating of the localization is performed using a processor, and the localized version of the first stage is stored in a memory. At least in view of these limitations, independent claim 1 is directed to statutory subject matter. Accordingly, Applicant respectfully requests that the rejections under § 101 be withdrawn.

Claim rejections under 35 U.S.C. § 103(a)

Claims 1, 2, 5, 9, 16-19, 22, 26, 33-34, 38-43, and 45-53 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,442,516 issued to Lee et al. (“**Lee**”) in view of U.S. Patent No. 6,425,123 issued to Rojas et al. (“**Rojas**”), in view of U.S. Patent

No. 5,416,903 issued to Malcolm (“**Malcolm**”), and further in view of U.S. Patent No. 6,185,729 issued to Watanabe, et al. (“**Watanabe**”).

Applicant has substantially amended independent claims 1, 18, and 34. Applicant respectfully submits that the amended claims each include limitations that are absent from the cited passages of Lee, Rojas, Malcolm, or Watanabe, whether taken individually or in combination, in view of the knowledge available to a person having ordinary skill in the art.

For example, amended independent claim 1 includes developing a first stage, a second stage, and a third stage of the base version of an application; facilitating an internationalization of the base version of the application; and facilitating a localization of the base version of the application. Claim 1 further recites that:

**the internationalization of the second stage is performed
concurrently with the developing of the third stage; and . . .
the localization of the first stage is performed concurrently
with the internationalization of the second stage.**

Applicant respectfully submits that, among others, these limitations regarding the concurrent timing of particular activities is not disclosed or fairly suggested in the cited passages of the references.

At best, Lee notes that a method can assist a development team “to perform concurrent builds on all the NLS build releases at any time during the development cycle” (Lee, 3:59-61), and Malcolm suggests that “numerous activities must be done in parallel to reduce the overall time requirements” (Malcolm, 10:25-27). These passages teach that different “builds” can be performed concurrently, and that these builds can be performed in parallel with some other operations.

These passages do not, however, teach the internationalizing of one development stage of an application concurrently with a development of another development stage of the application. Moreover, these passages fail to teach the localization of one development stage of the application concurrently with the internationalizing of another development stage of the application. Moreover, these passages of the cited references fail to teach the limitations quoted above from Applicant's amended claim 1.

At least for these reasons, independent claim 1 and all claims dependent thereon are allowable under § 103(a). At least for similar reasons, independent claims 18 and 34 and all claims dependent thereon are also allowable under § 103(a).

New claims

New claims 54-60 depend variously on independent claims 1, 18, and 34, and are therefore allowable at least for the reasons discussed above.

New claim 61 includes storing first, second, and third sets of language dependent code in a memory, modifying the first and second sets of language dependent code, and modifying an internationalized version of the first set of language dependent code. Moreover, claim 61 further recites:

the storing the second set of language dependent code is performed
**only after commencement of the modifying the first set of
language dependent code;**

the storing the third set of language dependent code is performed
**only after commencement of the modifying the
internationalized version of the first set of language dependent
code.**

At least in view of these limitations, claim 61 is also allowable. Claim 62 depends on claim 61, and is therefore allowable at least for similar reasons.

CONCLUSION

In view of the amendments and remarks set forth herein, the application and the claims therein are believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5097.

If any extensions of time under 37 C.F.R. § 1.136(a) are required in order for this submission to be considered timely, Applicant hereby petitions for such extensions. Applicant also hereby authorizes that any fees due for such extensions or any other fee associated with this submission, as specified in 37 C.F.R. §§ 1.16 or 1.17, be charged to deposit account 502306.

I hereby certify that this correspondence is being submitted to the U.S. Patent and Trademark Office in accordance with 37 C.F.R. § 1.8 on April 22, 2009 by being (a) transmitted via the USPTO's electronic filing system; or (b) transmitted by facsimile to 571-273-8300; or (c) deposited with the U.S. Postal Service as First Class Mail in an envelope with sufficient postage addressed to: Mail Stop Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia, 22313-1450.

/Cyrus F. Bharucha /
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April 22, 2009
Date

Respectfully submitted,

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